

SCOTT N. SCHOOLS, SC SBN 9990  
 United States Attorney  
 JOANN M. SWANSON, CSBN 88143  
 Assistant United States Attorney  
 Chief, Civil Division  
 EDWARD A. OLSEN, CSBN 214150  
 Assistant United States Attorney

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450 Golden Gate Avenue, Box 36055  
 San Francisco, California 94102  
 Telephone: (415) 436-6915  
 FAX: (415) 436-6927

Attorneys for Defendants

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE DIVISION

KUAN HOW YANG,  
 JUI NING YANG,

Plaintiffs,

v.

MICHAEL CHERTOFF, Secretary of the  
 Department of Homeland Security;  
 EMILIO T. GONZALEZ, Director of  
 U.S. Citizenship and Immigration Services;  
 CHRISTINA POULOS, Director of California  
 Service Center, U.S. Citizenship and Immigration  
 Services;  
 ROBERT S. MUELLER, Director  
 of the Federal Bureau of Investigation;  
 Defendants.

No. C 07-2870 HRL

**STIPULATION TO EXTEND BRIEFING  
 SCHEDULE AND HEARING DATE;  
 AND ~~PROPOSED~~ ORDER**

**(MODIFIED BY THE COURT)**

The plaintiffs, by and through their attorney of record, and defendants, by and through their attorneys of record, hereby stipulate, subject to approval of the Court, to extend the briefing schedule and the hearing date in this matter, in light of the following:

1. The plaintiffs, Kuan How Yang (“Kuan How”) and Jui Ning Yang (“Jui Ning”), are natives and citizens of Taiwan who filed Form I-485 applications to adjust their status to lawful permanent resident with the United States Citizenship and Immigration Services (USCIS) on or about

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December 9, 1997, and June 28, 2001, respectively.<sup>1</sup>

2. The plaintiffs filed this action on June 1, 2007, seeking an order from this Court directing USCIS to adjudicate their I-485 applications.

3. Plaintiff Kuan How's I-485 application was adjudicated on October 11, 2007.

4. The FBI has recently completed the name check for plaintiff Jui Ning, and the parties believe there is a reasonable possibility that her I-485 application will be adjudicated shortly after her fingerprints are taken and processed.

5. The parties have filed cross-motions for summary judgment; the plaintiffs' reply/opposition is due on October 26, 2007; the defendants' reply is due on November 2, 2007; and the hearing is scheduled for November 20, 2007, at 10:00 a.m.

6. In light of the fact that this case may shortly be moot, the parties propose to modify the briefing schedule and hearing date as follows:

Plaintiffs' Reply/Opposition:	November 23, 2007
Defendants' Reply:	December 7, 2007
Hearing:	December 18, 2007, at 10:00 a.m.

Dated: October 19, 2007

/s/  
STANLEY CHAO  
Attorney for Plaintiffs

Dated: October 19, 2007

/s/  
EDWARD A. OLSEN  
Assistant United States Attorney  
Attorneys for Defendants

# **ORDER**

(as modified by the court),  
Pursuant to stipulation, IT IS SO ORDERED.

Dated: October 24, 2007

  
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HOWARD R. LLOYD  
United States Magistrate Judge

<sup>1</sup>The plaintiffs' mother's I-485 application was approved on June 7, 2004.  
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